IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:22-CV-021-RJC-DCK

ANDRE R. JACKSON, JR.,)
Plaintiff,)
)
V.) ORDER
LOUIS DEJOY,)
Postmaster General,)
Defendant.)
)

THIS MATTER IS BEFORE THE COURT on *pro se* Plaintiff's letter or "Motion For Service Of Process" (Document No. 11) filed September 16, 2022. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will <u>deny</u> the motion.

Pro se Plaintiff has submitted a letter to the Court, that is construed as a "Motion For Service Of Process." (Document No. 11). In the letter, Plaintiff requests that his Summons be served by the U.S. Marshal. <u>Id.</u> Plaintiff suggests that such service is available and appropriate under Fed.R.Civ.P. 4.1. Id.

The undersigned respectfully reminds Plaintiff that the Court has directed service pursuant to Fed.R.Civ.P. 4(i), not 4.1.¹ (Document No. 7). The Honorable Robert J. Conrad, Jr. specifically stated:

A plaintiff must serve the United States when he brings an action against an officer or employee of the United States. Fed. R. Civ. P. **4(i)(2)-(3)**. Under Rule **4(i)** of the Federal Rules of Civil Procedure, to serve the United States **a plaintiff must serve the summons and**

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¹ Fed.R.Civ.P. 4.1 states that is for "[p]rocess – other than a summons under Rule 4."

complaint on the United States attorney's office in the district where the action is brought or by registered or certified mail to the civil-process clerk and the Attorney General of the United States. Fed. R. Civ. P. **4(i)(1)-(2)**.

(Document No. 7, p. 2) (emphasis added). <u>See also</u> (Document No. 10) ("Plaintiff is respectfully advised to review the requirements of Fed.R.Civ.P. 4, including 4(i).").

IT IS, THEREFORE, ORDERED that Plaintiff's letter or "Motion For Service Of Process" (Document No. 11) is **DENIED**.

SO ORDERED.

Signed: September 19, 2022

David C. Keesler

United States Magistrate Judge